(Spl.-H.C.A.S.,C.D.,78-e)

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF BOMBAY AT GOA
APPELLATE SIDE

SECOND APPEAL NO. 33 OF 2004

Office Note, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Shri A. F. Diniz, advocate for the appellants.

CORAM : D. G. KARNIK, J.

DATE : 23rd March, 2004

P.C.:

Heard learned counsel for the appellants. The trial Court held that the defendants had made encroachment on the plaintiffs' property to the extent of 10.31 sq. mts. The Appellate Court has reversed the said finding. The Appellate Court has noted that initially the plaintiffs had claimed encroachment to the extent of 8 sq. mts. Whether there has been an encroachment made by the defendants on the plaintiffs' property is a pure question of fact. It does not involve a substantial question of law.

Hence Second Appeal dismissed summarily.

D. G. KARNIK, J.

mc.